

Permit to transport prescribed industrial waste



Environment
Protection
Authority Victoria



Publication IWRG811.13* September 2019
*This replaces IWRG811.12 issued December 2017

Industrial Waste Resource Guidelines

This publication will assist you to get started applying for:

- a new vehicle permit to transport prescribed industrial waste (PIW) using EPA's online application form;
- transferring a permit;
- amending a permit; and
- surrendering a permit.

1. Introduction

The *Environment Protection Act 1970* (the Act) generally requires a person or business to have a permit to transport PIW if the person is conducting a business involving the transport of PIW. Vehicle permits (permits) are issued by EPA for vehicles used to transport waste in accordance with Section 53F of the Act and the Environment Protection (Industrial Waste Resource) Regulations 2009 (the Regulations). An EPA permit is not required if the following applies:

- The load is destined for a site that is exempt from the transport permit and tracking system.
- The net load is less than 50 kilograms or litres and the transporter receives no fee or reward.

A permit can only be issued to the owner of a vehicle, being the registered owner or the vehicle lessee, in accordance with Section 14 of the Regulations. Where the applicant is a lessee, the lease agreement must be between the applicant and the registered owner of the vehicle.

As part of the application process, the applicant must conduct a self-assessment of the vehicle to declare that the vehicle complies with the relevant vehicle guidance (see section 5.1).

To apply for a new permit, applicants must first create an account on the [EPA Interaction Portal](#), before accessing the online vehicle permit application form in the Portal.

All permits require fee payment, and EPA will inform you of the permit fee either upon submitting the online application or at a later stage, depending on the complexity of your application.

All permits to transport PIW are subject to the conditions set out in Section 15 of the Regulations. These must be understood by permit applicants. In addition to those conditions, EPA may add specific conditions to a permit.

A permit is valid for 12 months and may be renewed annually. Unless suspended or cancelled, a permit stays in force until the expiry date on the permit identification label or the permit surrender date, whichever comes first. EPA may suspend or cancel a permit for breach of any condition to which the permit is subject. Among other things, EPA may also cancel a permit if satisfied that information supplied in the relevant permit application was false or misleading.

This guidance forms part of the Industrial Waste Resource Guidelines, which offer guidance for wastes and resources regulated under the Environment Protection (Industrial Waste Resource) Regulations 2009.

This guidance is provided by way of general information only and should not be relied upon as legal advice. Applicants who are unsure of their legal obligations under the *Environment Protection Act 1970* or the Regulations should seek their own legal advice.



Permit to transport prescribed industrial waste

A permit holder may surrender the permit at any time by returning the permit statutory document along with a written request. EPA will reimburse any refund to which the former permit holder is entitled.

To amend or transfer a permit, please go to the [Waste transportation forms](#) page of EPA's website and select the appropriate form. This guideline mainly contains information on how to apply as a business for a new permit. However, you can find some useful information on how to renew, amend or transfer a permit at the end of this document.

2. How to apply for a new permit in the EPA Portal

The following are the key steps when applying for a new permit:

2.1 EPA Portal account creation/pre-application

If you already have an account in the EPA Interaction Portal, just login with your existing username and password.

To apply for a new permit online, you are first required to create an account on the EPA Portal. This is a one-off account creation and can then be used for future applications, as well as for filling out electronic waste transport certificates to fulfil your obligations under the Regulations. The EPA Portal is accessed using the following link:

<https://portal.epa.vic.gov.au/irj/portal>

When creating an account on the Portal for the first time **you must select the option of 'Register on behalf of a business'**, regardless of the vehicle ownership status. i.e. Even when registering as an individual or lessee, you need to select 'Register on behalf of a business' and will then be able to create your account.

If creating an account for a business, the following additional information must be provided during the [EPA portal](#) registration process:

- the company name (the name used must be the same as on the Certificate of Incorporation)

- the Australian Business Number (ABN) and Australian Company Number (ACN).

Within 24 hours you will receive email confirmation of your account and account password from EPA. If your account creation is incomplete, EPA will contact you for further information.

2.2 New permit application

EPA issues permits to the registered owner of a vehicle (as an individual person or as a business) or the vehicle lessee.

Where the applicant is a business, the person completing the application must be a person nominated by the business to apply on their behalf. If the business is a partnership, the senior partner or the partner to be held responsible for operations must complete the application.

Ensure to fill in the correct details of the owner's name and the vehicle registration details, according to VicRoads' records.

The following mandatory attachments are to be uploaded in the relevant sections of the online application form:

- A copy of the driver's licence of the applicant/person authorised to submit the application.
- A copy of the vehicle registration (for newly registered and interstate).
- If you're a company nominee applying on behalf of the company; a copy of a letter from the company director confirming that you can apply on behalf of the company.
- If you are a lessee; the lease agreement between you and the vehicle owner. The lease agreement must include details of the person/company responsible for ensuring that the vehicle is fit for the purpose of transporting prescribed industrial waste, and for maintaining the insurance policy (see section 2.2.1).

Permit to transport prescribed industrial waste

- A description of the method of assembly or alternative designs, not mentioned in EPA guidance IWRG816 or IWRG814 (if applicable).
- AS2809 tanker design approval (for tanker applicants applying for flammable solvents, for example G waste codes).
- Relevant offence statutory declaration (if applicable, see section 2.4).

2.2.1 Applicant is a lessee

If the applicant is a lessee, the minimum information required to enable EPA to process applications from vehicle lessees includes:

- the names of the parties in the agreement
- date of agreement
- vehicle details (including registration number)
- conditions of the agreement
- duration of agreement
- commencement date
- who is responsible for what (as a minimum including who is responsible for ensuring that the vehicle is fit for purpose of transporting the prescribed industrial waste to be specified in the permit and for maintaining the insurance policy)
- signatures of the lessor and lessee.

2.3 Waste codes

The list of prescribed industrial waste types and waste codes, described in the Industrial Waste Resource Guideline [Waste codes](#) (publication IWRG822), is included as part of the online application form. Please select the applicable waste codes.

2.4 Relevant offence declaration

In the consideration of vehicle permit applications, transfers or amendments, Section 20C(3) of the Act enables EPA to refuse to issue, transfer or amend a permit if the applicant (or, in the case of a transfer, the person to whom the permit is to be transferred):

- has been found guilty of one or more “relevant offences” (defined in the Act) in the 10 years immediately before the date EPA received the application
- as a result, the person is, in the opinion of EPA, not a fit and proper person to hold the permit (or the amended permit).

“Relevant offence” means:

- an indictable offence
- an offence committed outside Victoria that would have been an indictable offence if it had been committed in Victoria on the date it was committed
- a summary offence under the Act, the *Dangerous Goods Act 1985*, the *Occupational Health and Safety Act 2004* or the *Equipment (Public Safety) Act 1994*.

Applicants must:

- declare whether they have (or, in the case of corporate applicants, whether the corporation and additionally, whether any director or person concerned in the management of the corporation has) been found guilty of any “relevant offences” in the 10 years prior to the date of the application
- if so, upload a statutory declaration from that person (or each of those persons), clearly setting out the specific circumstances of the offence and why those circumstances should not prevent the application from being approved (including why the applicant should be considered a fit and proper person to hold a permit, or to be involved in a corporation holding a permit).

Permit to transport prescribed industrial waste

EPA will consider any relevant offence disclosures in the assessment of vehicle permit applications.

Applicants should be aware that it is an offence under the Act to intentionally or negligently provide incorrect or misleading information to EPA or to conceal information from EPA. EPA may cancel a permit if satisfied that information in the online application for the permit was false or misleading.

2.5 Vehicle insurance

The permit holder must hold a third-party property insurance policy to one of the following values to cover the cost of clean-up or damage resulting from a spill:

- \$5,000,000 if the vehicle is used to transport prescribed waste that can be assigned a UN number
- \$500,000 if the vehicle is used to transport prescribed waste that can be assigned the 30XY class.

2.6 Declaration of correct and reliable information

The online permit application includes a declaration that the information provided in the application is true and correct, that the applicant has the adequate current insurance and that the vehicle complies with the relevant vehicle guidance (see section 5.1) and is fit for the purpose of transporting the prescribed industrial waste specified in the application.

Applicants should be aware that it is an offence under the Act to intentionally or negligently provide incorrect or misleading information to EPA or to conceal information from EPA. EPA may cancel a permit if satisfied that information in the online application for the permit was false or misleading.

2.7 Temporary permit

In exceptional cases, a permit can be issued for a short duration (not longer than one calendar month). Contact EPA on 1300 372 842 (1300 EPA VIC) or email wasteissues@epa.vic.gov.au.

2.8 Fees

The fee schedule for the 'permit to transport prescribed industrial waste' is set out in Appendix A.

The permit fee is set by the gross carrying capacity of the vehicle and the waste being transported.

A fee is required for each application.

- For new permit applications submitted using the EPA Portal, you will receive an automatically generated email upon successful submission advising of the fee to be paid and how to make payment. Payment is required within 7 days of application submission.
- For all other permit applications (such as amendments and transfers), EPA will advise applicants of the required fee following assessment of the application. Note: no fee is applicable where a permit is amended to update a business name.

There may be cases where EPA will notify you of further checks required and where fees will need to be paid upon internal assessment of an application.

When the permit is due for renewal, EPA will send an invoice to the permit holder (see 'Renewal of permit' below).

3. Timeframe for issuing permit

EPA will issue, or refuse to issue, a permit within 21 days of receiving the online application and payment of the relevant application fee, or 21 days of receiving any additional information requested, whichever is the later.

If EPA believes an application contains insufficient information, EPA may ask for any additional information considered necessary to enable a proper assessment of the application, including details other than those listed in this guideline.

Permit to transport prescribed industrial waste

4. About the permit

4.1 The permit document and permit identification label

A permit will be issued to the vehicle owner, or in the case of lessee applicants, the vehicle lessee, along with a permit identification label, which must be displayed on the vehicle in a prominent position.

Permit holders must fully understand the conditions of the permit, including conditions set out in Section 15 of the Regulations and any additional specific conditions imposed by EPA.

Permit applicants and permit holders must advise EPA as soon as practicable if there is any change to the information provided in their permit applications.

EPA must be immediately advised in writing of any changes that affect permit details.

4.2 Renewal of permit

EPA will mail to the permit holder's postal address a permit renewal document 60 days before expiry containing:

- an invoice for the permit fee
- a notice of renewal of permit
- a permit identification label
- a declaration that the vehicle is fit for purpose.

It is the permit holder's responsibility to notify EPA of changes to their permit, including the permit holders postal address.

The permit document will be sent when EPA receives the renewal fee and a signed declaration that the vehicle to which the permit applies is fit for the purpose of transporting the prescribed industrial waste as specified in the permit.

If EPA doesn't receive payment and the signed declaration before the expiry date, the permit will expire and the permit holder will need to reapply

for a permit. Penalties apply for transporting PIW without a valid permit.

4.3 Transfer of permit

Permits can only be transferred if the owner of the vehicle has changed (with a different ACN number if transferring from one business to another). Upon lodgement of your application, the process of transferring vehicle ownership with VicRoads will need to have been completed.

To transfer a permit, the new vehicle owner, to whom the permit is to be transferred, will need to complete the [Application for transfer of permit to transport prescribed industrial waste](#) (form F1010) and send it as a PDF or Word document to wasteissues@epa.vic.gov.au.

Do not send any fee with the application – EPA will let you know the correct fee, based on Appendix A.

4.4 Amendment of permit

To amend an existing permit, including changes to waste types, number plate change or company name change, complete the [Application for amendment of permit to transport prescribed industrial waste](#) (form F1008) and send it as a PDF or Word document to wasteissues@epa.vic.gov.au.

Do not send any fee with the application – EPA will let you know the correct fee, based on Appendix A.

4.5 Permit forms

Various forms for waste transporters are on the [Waste transportation forms](#) page on EPA's website.

4.6 Surrender of a permit

To surrender a permit, the permit holder will need to return the permit approval document along with a written request. EPA will refund any unused portion of the fees (pro-rata). This process may take up to 30 days.

Permit to transport prescribed industrial waste

5. Additional information

5.1 Vehicle guidelines

The vehicle guidelines set out the requirements for non-tanker vehicles and tankers for the transport of prescribed industrial waste. You can find them on EPA's website by following these links:

- [Vehicle guidance: non-tanker vehicles/trailers](#)
- [Vehicle guidance: tanker/tanker trailer](#)

or by searching for 'industrial waste resource guidelines' on the EPA website, www.epa.vic.gov.au, and going to section 8.1 ('Permits') of the [IWRG page](#).

5.2 Driver training certificate

Anyone who drives a permitted vehicle must hold a driver training certificate in the handling and transport of prescribed industrial waste.

The Victorian Waste Management Association (VWMA) provides EPA approved training.

www.vwma.com.au

T: 03 9646 8590

5.3 Additional information and contacts

The Environment Protection (Industrial Waste Resource) Regulations 2009 can be downloaded from the [Waste legislation page](#) of EPA's website.

Contact EPA on
1300 372 842 (1300 EPA VIC)
Email: contact@epa.vic.gov.au

Please see the [Contact us](#) page of EPA's website, www.epa.vic.gov.au, for the addresses of our offices throughout Victoria.

Permit to transport prescribed industrial waste

Appendix A: Fee schedule for permit to transport prescribed industrial waste

The latest value for fee and penalty unit can be found at www.epa.vic.gov.au/our-work/compliance-and-enforcement/fees-and-penalties

Type or class of prescribed waste		Vehicle gross combination load-carrying capacity		
		Less than 1.5 tonnes <i>Fee units</i>	Equal to or more than 1.5 tonnes but less than 30 tonnes <i>Fee units</i>	30 tonnes or more <i>Fee units</i>
1.	Putrescible organic wastes or inert sludges or slurries, clinical and related wastes (R100, K100, K120, K200, T130 only).	19.50	39.25	103.00
2.	Prescribed waste not specified elsewhere in this table (all other waste codes).	29.50	49.00	142.00
3.	Prescribed waste which is explosive, flammable or highly reactive (G100–G160, E100–E130 only).	34.25	58.75	161.75

Prime mover/passenger vehicle

The fee for a vehicle that is a prime mover or passenger vehicle to transport prescribed waste – provided the vehicle does not carry prescribed waste – is 10.30 fee units.

Transfer and amendment of permit

The fee for an application to transfer or amend a permit is the higher of:

- 10 per cent of the fee set out in the table above
- 5.15 fee units.

The fee applies to each vehicle and will be determined when EPA receives the email application.

Temporary permit

The fee for a temporary permit is the higher of:

- 25 per cent of the fee set out in the table above
- 10.30 fee units.